

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Complaint against Verizon Florida, Inc.
and request for declaratory ruling by Bright
House Networks Information Services, LLC
(Florida).

DOCKET NO. 041170-TP
ORDER NO. PSC-05-0350-PCO-TP
ISSUED: March 31, 2005

ORDER GRANTING INTERVENTION

BY THE COMMISSION:

By Petition, The Ultimate Connection d/b/a DayStar Communications (DayStar) has requested permission to intervene in this proceeding. DayStar is a certified competitive local exchange telecommunications company in Florida. The purpose of this proceeding, among other things, is to address Verizon's number porting procedures for Bright House Networks Information Services (Bright House). DayStar provides local telephone service through various means, including through the offering of local voice service over Asynchronous Transfer Mode, which is delivered through digital subscriber lines. Like Bright House, DayStar intends to offer local service utilizing voice-over-internet-protocol. This local telephone service product requires the use of local telephone numbers. Any delay or failure in the porting of local telephone numbers for customers will adversely affect DayStar's ability to offer its local telephone service. As such, the resolution of the issues in this docket will affect the substantial interests of DayStar and its business operations in the State of Florida.

Having reviewed the Petition, it appears that DayStar's substantial interests may be affected by this proceeding because a failure or delay in the porting of local numbers may offset DayStar's ability to provide service. Therefore, the Petition shall be granted. Pursuant to Rule 25-22.039, Florida Administrative Code, DayStar takes the case as it finds it.

Therefore, it is

ORDERED by the Florida Public Service Commission that the Petition for Leave to Intervene filed by The Ultimate Connection d/b/a DayStar Communications, be and the same is hereby granted. It is further

ORDERED that all parties to this proceeding shall furnish copies of all testimony, exhibits, pleadings and other documents which may hereinafter be filed in this proceeding, to:

Steven H. Denman
William P. Cox
Abel, Band, Russell, Collier, Pitchford
& Gordon, Chartered

Dennis Osborn
Director of Administrative Services
DayStar Communications
18215 Paulson Drive

DOCUMENT NUMBER-DA

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FPSC-COMMISSION CLERK

ORDER NO. PSC-05-0350-PCO-TP
DOCKET NO. 041170-TP
PAGE 2

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wcox@abelband.com

Port Charlotte, Florida 33954
(941) 206-7816 (phone)
d.osborn@daystar.net

By ORDER of the Florida Public Service Commission this 31st day of March, 2005.

BLANCA S. BAYÓ, Director
Division of the Commission Clerk
and Administrative Services

By: Kay Flynn
Kay Flynn, Chief
Bureau of Records

(S E A L)

FRB

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code; or (2) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case

ORDER NO. PSC-05-0350-PCO-TP

DOCKET NO. 041170-TP

PAGE 3

of a water or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of the Commission Clerk and Administrative Services, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.